

REMARKS

In the Office Action dated January 21, 2005, claim 1 was rejected under §112, first paragraph, as failing to comply with the written description requirement because the Examiner stated the specification does not disclose the subject matter of "a second battery... for supplying power to said security components *only* upon an outage of said main voltage" and "a battery switchover device for switching power supply to security components from said second battery to said first battery *only* if power from said second battery is absent."

Applicants filed a response on April 12, 2005, wherein Applicants pointed to language at page 10, lines 13-15 of the original specification as providing support for the above claim limitations. In an Advisory Action dated April 28, 2005, the Examiner pointed out reasons why the Examiner does not believe the cited language supports the position that the second battery supplies power to the security components only upon an outage of the mains voltage. Applicants do not necessarily agree with these statements of the Examiner, however, for the purpose of Applicants' arguments in support of patentability, it is sufficient that an outage of the mains voltage be at least one condition that causes the second battery to supply power to the security components, and it is not necessary for Applicants' patentability arguments that an outage of the mains voltage be the one and only situation in which the second battery supplies power to the security components. Claim 1, therefore has been amended to delete the word "only" from this claim element.

As to the use of the phrase "only if power from said second battery is absent" in the language relating to the description of the battery switchover device in claim 1,

the Examiner in the Advisory Action stated that there are numerous possible causes of power absence with regard to the second battery, which the Examiner stated would require myriads of power detection/indication circuitries. The Examiner therefore stated it would require undo experimentation for one of ordinary skill in the relevant art to make and use the claimed electronic device. These statements of the Examiner are respectfully traversed, because it is a simple matter merely to detect whether power from the second battery is absent, as is explained in connection with Figure 4 of the present application in the paragraph bridging pages 12 and 13. As stated therein, the positive pole 141 of the second battery 140 is connected to pin P26, which leads to the battery switchover device 18. As shown in Figure 4, the negative pole 142 of the battery 140 is connected to ground. It is only necessary for the battery switchover device 18 to detect an absence of voltage, for any reason, at pin P26 in order to determine that voltage from the battery 140 is absent. There is no need for the battery switchover device to "know" why the voltage is absent, and therefore there is no need for the capability of detecting the various possibilities suggested by the Examiner. As noted in Applicants' previous response, the paragraph beginning at page 10, line 7 of the present specification identifies two situations (draining of the battery 140 or replacement of the battery 140) that may cause voltage from the battery 140 to be absent. Other examples are given in the paragraph bridging pages 4 and 5 of the present specification, namely incorrect polarization, oxidation of the battery contact poles or simple non-insertion of the second battery.

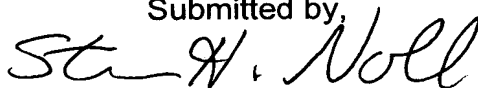
In view of these numerous examples, and in view of the fact that all that is necessary is for the battery switchover device 18 to detect, for any reason, that the

voltage level at pin P26 has dropped below the proper level, use of the generic language "only if power from said second battery is absent" in claim 1 is amply supported in the present specification under the provisions of §112, first paragraph.

Lastly, in the first two lines of page 13, a commercially available device (DS 1314 of Dallas Semiconductor) is identified as being suitable for use as the battery switchover device 18. Therefore, there is no "undue experimentation" of any sort that is necessary for a person of ordinary skill in the relevant art to make and use the subject matter of claim 1.

These factors with regard to support for the language of claim 1 did not appear to enter into the Examiner's analysis of claim 1 for the purpose of applying prior art against claim 1, and therefore entry of the present Amendment will not raise a new issue requiring further searching or consideration on the part of the Examiner. Moreover, the present Amendment is accompanied by a Notice of Appeal, and entry of the present Amendment will reduce the issues for appeal. Entry of the present Amendment under the provisions of 37 C.F.R. § 1.116 is therefore proper, and the same is respectfully requested.

Submitted by,



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